

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION**

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In re:	§
	§ Subchapter V
SGR ENERGY, INC.,	§
	§ Case No. 21-60090
Debtor.	§ <b>Christopher M. Lopez</b>

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**DEBTOR'S EMERGENCY MOTION TO DISMISS**

THE DEBTOR HAS REQUESTED EMERGENCY CONSIDERATION OF THIS MOTION. ACCORDINGLY, THE COURT MAY ACT EXPEDITIOUSLY ON THE MATTER. IF THE COURT SETS THIS MOTION FOR AN EMERGENCY HEARING, ATTENDANCE AT THIS HEARING IS NECESSARY TO PRESERVE YOUR RIGHTS.

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THIS MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN TWENTY-ONE (21) DAYS FROM THE DATE THAT THIS MOTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED; IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

EMERGENCY RELIEF HAS BEEN REQUESTED AND IF THE COURT CONSIDERS THIS MOTION ON AN EMERGENCY BASIS, THEN YOU WILL HAVE LESS THAN TWENTY-ONE (21) DAYS TO ANSWER. IF YOU OBJECT TO THE REQUESTED RELIEF, OR IF YOU BELIEVE THAT EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU SHOULD FILE AN IMMEDIATE RESPONSE.

To the Honorable Christopher M. Lopez:

SGR Energy, Inc. (“SGR”), Debtor-in-Possession, by and through its undersigned proposed counsel, hereby files this emergency motion (the “Motion”), respectfully requests that this Court dismiss this case and would show as follows in support of the requested relief:

## **I. JURISDICTION & VENUE**

This Court has jurisdiction over this motion pursuant to 28 U.S.C. § 157 and 1334. This motion is a core proceeding pursuant to 28 U.S.C. § 157(b) and venue is proper pursuant to 28 U.S.C. § 1408.

## **II. CASE BACKGROUND**

1. SGR filed a voluntary petition for relief on November 15, 2021 under Chapter 11 of Title 11, United States Code 11 U.S.C. § 101 *et seq.* (the “Bankruptcy Code”) and elected to proceed under Subchapter V of the Bankruptcy Code. The Debtor’s case is pending before the United States Bankruptcy Court for the Southern District of Texas, Victoria Division.

2. Pursuant to Bankruptcy Code 1107(a) and 1108, the Debtor is operating and managing its property as Debtor-in-Possession. Catherine Stone Curtis has been appointed Subchapter V Trustee and no examiner has been appointed in this case.

3. Due to the substitution of SGR’s proposed counsel and the emergency nature of the bankruptcy filing, this Court extended the deadline for the filing of the schedules and statement of financial affairs and other disclosures through December 14, 2021.

2. The meeting of creditors is scheduled for January 6, 2021.

3. At this time, the principal for SGR believes it is in the best interest of the Debtor, its creditors, and all interested parties for SGR to dismiss its bankruptcy and to workout and reorganize outside of bankruptcy in order to minimize administrative costs.

## **III. RELIEF REQUESTED**

4. SGR Energy, Inc. respectfully requests that this Court dismiss this Chapter 11 Sub V bankruptcy pursuant to 11 U.S.C. § 1112. SGR believes that emergency relief is warranted as

a status conference is set for December 14, 2021 and SGR has been unable to complete its schedules and other disclosures as provided by this Court's order extending the deadline to file.

5. Due to the emergency filing of this Motion, the undersigned proposed counsel has been unable to contact the Trustee regarding opposition to this Motion, but will reach out to the Trustee and United States Trustee and file a certificate of opposition or non-opposition upon receipt of their responses.

Wherefore, SGR Energy, Inc., respectfully requests that this Court dismiss this case without prejudice pursuant to 11 U.S.C. § 1112..

Dated: December 13, 2021

Respectfully submitted,

/s/Thomas Sanmiguel  
Thomas Sanmiguel  
President

**TRAN SINGH, LLP**

By: /s/Susan Tran Adams  
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*Proposed counsel for  
SGR Energy, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 13, 2021, the following parties below and attached creditor matrix were served a true and correct copy of the foregoing Motion via First Class Mail, facsimile, or electronic notice.

*/s/Susan Tran Adams*  
Susan Tran Adams

**VERIFICATION OF TRANSMITTAL TO U.S. TRUSTEE**

The undersigned, an attorney, under penalties of perjury, verifies that a copy of the Motion was delivered to the United States Trustee on December 13, 2021, by electronic delivery by the clerk of the Bankruptcy Court.

*/s/Susan Tran Adams*  
Susan Tran Adams